

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **CV 25-4440-KK-MAAx**

Date: May 22, 2025

Title: ***Anthony Albert Baggett v. Atascadero State Hospital et al.***Present: The Honorable **KENLY KIYA KATO, UNITED STATES DISTRICT JUDGE**

Noe Ponce

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

Proceedings: (In Chambers) Order to Show Cause Why Petition Should Not Be Dismissed as Duplicative

On July 29, 2024, plaintiff Anthony Baggett (“Plaintiff”) filed a pro se prisoner civil rights Complaint (“First Complaint”) in the Eastern District of California against defendants Atascadero State Hospital, R. Keri, and Gustavo. See generally Anthony Baggett v. Atascadero State Hospital et al., 24-CV-06744-KK-MAAx. Plaintiff sought telephone access while in custody. Id. On August 2, 2024, the matter was transferred to this Court. Id. On May 16, 2025, the Court issued an Order accepting the assigned Magistrate Judge’s Report and Recommendation dismissing the action due to Plaintiff’s failure to prosecute and respond to the Court following Plaintiff’s apparent release from custody. Id.

On August 15, 2024, Plaintiff filed the instant Complaint in the Eastern District of California against defendant Atascadero State Hospital. ECF Docket No. (“Dkt.”) 1. Plaintiff, again, seeks telephone access while in custody. Id. On May 7, 2025, this matter was transferred to this Court. Dkt. 4.

Based on the Court’s review of the two actions, the Court identifies the following outstanding issues: (1) the instant matter appears to be duplicative of Plaintiff’s First Complaint; (2) because Plaintiff appears to no longer be in custody, the relief sought appears to be moot; and (3) Plaintiff has not maintained or updated Plaintiff’s current mailing address – or filed a change in contact information – as required by Local Rules 5-4.8.1 and 83-2.4.

Accordingly, the Court, on its own motion, orders Plaintiff to show cause in writing **no later than fourteen (14) days from the date of this Order** why this action should not be dismissed with respect to the outstanding issues raised in this Order. **Plaintiff is expressly warned that failure to timely file a response to this Order will result in this action being dismissed without prejudice.**

IT IS SO ORDERED.